

## Key Provisions of Occupant Restraint Laws through September 2005

State	Enforcement	Belt Fine	Child Restraint Required	Either safety belt or booster seat Required	Safety belt required <sup>1</sup>		Vehicles Exempted <sup>3</sup> -- and other Information	
					Seats	Ages <sup>2</sup>		
AL	Primary	\$25	3 yrs & younger	4 through 5 yrs	Front	6+	Designed for >10 passengers; model year <1965; rural mail carriers, trailers and newspaper delivery.	
AK	Secondary	\$15	3 yrs & younger	4 through 15 yrs	All	All	School bus.	
AZ	Secondary	\$10	4 yrs & younger		Front	5-15 in all seats; 16 and older-- front only	Designed for >10 passengers; model year <1972, postal service vehicles	
AR	Secondary <sup>4</sup>	\$25	5 yrs & under & less than 60 lbs	6 through 14 yrs or 60+lbs.	Front	All	School, church, or public bus; model year <1968.	
CA	Primary	\$22	5 yrs. & under or less than 60 lbs.	6 through 15 yrs or more than 60 lbs.	All	All	Emergency vehicles, postal service vehicles, newspaper delivery vehicles.	Less than 60 lbs. in a rear seat, if available.
CO	Secondary <sup>5</sup>	\$17	5 yrs & under	6 through 15 yrs and 55" or more	Front	All	Passenger bus, school bus, ambulance, postal service vehicles; delivery and pickup services	Younger than 1 yr and less than 20 lbs in a rear-facing infant seat.
CT	Primary	\$37	1-6 yrs & less than 60 lbs in a child restraint system	7 through 15 yrs and 60+ lbs	Front	4<16 - All	Truck or bus >15,000 lbs; public, emergency or delivery vehicles; postal service vehicles; newspaper delivery vehicles.	Booster seats may only be used in a seating position with a lap & shoulder belt. Younger than 1 yr or less than 20 lbs in a rear-facing restraint system.
DE	Primary	\$25	6 yrs & younger And< 60 lbs	7 through 15 yrs or 60 lbs	All	All	Postal service vehicles, tractors, off-highway vehicles.	
DC	Primary	\$50 <sup>6</sup>	7 yrs & under	8 through 15 yrs	All	All	Seating >8 people; manufactured before 7/1/66.	
FL	Secondary	\$30	3 yrs & under	4 through 5 yrs	Front	6-17 in rear	School buses purchased before 1/1/2001; farm tractors, trash trucks, newspaper delivery vehicles, living space of RVs; public bus, truck >5,000 lbs	The number of passengers of a pick-up truck required to wear seat belt shall not exceed the number of installed front seat belts. (Extra passengers exempted)

<sup>1</sup> Note: virtually every state exempts persons who for medical reasons cannot use a safety belt, and vehicles not originally required to be equipped with safety belts.

<sup>2</sup> Note: the word 'All' used in this category means everyone in the vehicle occupancy compartment must be restrained – for children that may be in a child restraint.

<sup>3</sup> Note: emergency vehicle and bus exemptions generally do not apply to the driver.

<sup>4</sup> If motorist is wearing belt when stopped for another violation, the fine for that violation is reduced \$10.

<sup>5</sup> Primary enforcement if driver is under 17 years of age.

<sup>6</sup> Plus 2 point on license record.

## Key Provisions of Occupant Restraint Use Laws through September 2005 (continued)

State	Enforcement	Belt Fine	Child Restraint Required	Either safety belt or child restraint Required	Safety Belt Required Seats	Ages	Vehicles Exempted	Additional Information
GA	Primary	\$15-25	5 yrs & younger And 57" or less	more than 57"	Front	6-17 <sup>7</sup> in all seats	Designed for >10 passengers; pickups; off-road; vehicles used for frequent stops	5 yrs and younger must be in rear seat if available. Pick-up exemption applies to $\geq 18$ .
HI	Primary	\$55	3 yrs and younger		Front	4-17 in all seats	Bus or school bus >10,000 lbs; emergency vehicles; taxicabs Bus or school bus >10,000 lbs;	Exempts persons unable to use a seat belt because all available seat belt assemblies are in use. In this case, unsecured children must sit in the back seat.
ID	Secondary	\$10	6 yrs. and younger		All	All	>8,000 lbs.	
IL	Primary	\$25	7 yrs. and younger	8 -15 yrs	Front	8 -15 must be restrained in all seats	Emergency vehicles, frequent stop vehicles.	Everyone younger than 18 must be restrained if driver is less than 18 yrs.
IN	Primary	\$25	7 yrs. and younger		Front	4-11 in all seats must be restrained	Truck, tractor, RV, pickup truck, sport utility vehicle if registered as a pickup truck, postal vehicles, delivery vehicles	
IA	Primary	\$25	5 yrs and younger	6-10 years	Front	10 and under in all seats	Delivery vehicles that do not exceed 25 mph between stops, emergency vehicles, postal vehicles.	
KS	Secondary	\$10	3 yrs and younger		Front	4 < 14 in all seats	Designed for >10 people; truck >12,000 lbs., off-road vehicles, postal vehicles, vehicles deliveries newspapers.	
KY	Secondary	\$25	<40 inches tall		All	All	Designed for >10 people; truck >12,000 lbs, farm trucks $\geq 2000$ lbs, Postal vehicles.	
LA	Primary	\$25	5 yrs and younger	6 through 12 yrs. or greater than 60 lbs	Front	6 through 12 yrs.	Designed for >10 people; model year <1981, postal vehicles, farm vehicles within 5 miles of farm.	
ME	Secondary	\$25-\$50	7 yrs. and younger and < 80 lbs		All	All	Manufactured without safety belts. Postal vehicles.	Everyone in school bus equipped with safety belts must use them.
MD	Primary	\$25	5 yrs. and under or 40 lbs. or less	6-15 yrs. and more than 40 lbs	Outboard Front	15 and under	'historical', for-hire vehicles, farm vehicles within 10 miles of farm, vanpool vehicles, ambulances, funeral limousines, modified vehicles $\geq 25$ yrs.	
MA	Secondary	\$25	<5 and 40 lbs or less	5 through 11 yrs.	All	All	Truck >18,000 lbs; buses and taxis, emergency vehicles, postal vehicles.	

<sup>7</sup> Drivers may be fined up to \$100 and seat passengers \$50 for each passenger < 16 not wearing a safety belt.

## Key Provisions of Occupant Restraint Use Laws through September 2005(continued)

State	Enforcement	Belt Fine	Child Restraint Required	Either safety belt or booster seat Required	Safety belt required Seats	Ages	Vehicles Exempted -- and other Information
MI	Primary	\$25	3 yrs. and under		Front	4-15 in all seats <sup>8</sup>	Taxi, bus, school bus, postal service vehicles, commercial vehicles making frequent stops.
MN	Secondary	\$25	3 yrs. and under		Front	4-10 in all seats <sup>9</sup>	Farm pickup truck, postal vehicles, commercial vehicles making frequent stops if vehicles don't exceed 25 mph between stops.
MS	Secondary	\$25	3 yrs. and under		Front	4-7 in all seats;	Farm vehicle, bus; postal vehicles, utility meter readers' vehicles, all-terrain vehicles, vehicles designed to carry >15 persons.
MO	Secondary <sup>10</sup>	\$10	3 yrs. and under		Front	4-15 in all seats	Designed for >10 people; truck >12,000 lbs; postal service vehicles, vehicles being used for agriculture.
MT	Secondary <sup>11</sup>	\$20	5 yrs. and under and less than 60 lbs.		All	All	Vehicles making frequent stops if exemption obtained from state; construction vehicles.
NE	Secondary	\$25	5 yrs. and under	6-15 yrs.	Front	4-15 in all seats	Model year <1973, farm tractors and other agricultural equipment, buses, postal vehicles, ambulance or rescue service vehicles.
NV	Secondary	\$25	5 yrs. and under and 60 lbs. or less		All	All	Taxi, bus, school bus, postal service vehicles, emergency vehicles, delivery vehicles not exceeding 15 mph, any vehicle or seating position if the state determines compliance is impractical.
NH	No adult law	\$25	5 yrs. and under if less than 55" tall	6 through 17 yrs	All	<18 only- (primary law)	School bus, vehicle for hire; model year<1968, antique cars, vehicles in parade traveling a <u>t</u> ≤ 10 MPH

<sup>8</sup> A driver does not have to comply with this requirement if the number of children to be secured exceeds the number of safety belts available. Unsecured children have to be seated in other than the front seat and all front seat passengers must be secured. In the case of pickup trucks where all safety belts are being used and where such vehicles do not have an extended cab or jump seats, unsecured children may be transported in the front seat without a safety belt

<sup>9</sup> The safety belt requirement does not apply to persons who are riding in a vehicle where all of the available seat belt positions have been occupied.

<sup>10</sup> Primary for children under 16 years of age.

<sup>11</sup> Exemptions are to persons who cannot use a seat belt because all of the available seat belts are in use

## Key Provisions of Occupant Restraint Laws through September 2005(continued)

State	Enforcement	Belt Fine	Child Restraint Required	Either safety belt or booster seat Required	Safety belt required Seats	Ages	Vehicles Exempted -- and other Information
NC	Primary	\$25	7 yrs. and under less than 80 lbs. <sup>12</sup>	8 through 15 yrs. + children 40-80 lb in seats without shoulder belts	Front	<15 in all seats	Designed for >11 people; farm vehicles, postal vehicles, designated commercial vehicles, emergency vehicles.
ND	Secondary <sup>13</sup>	\$20	6 yrs. and younger and less than 57" or less than 80 lbs. <sup>14</sup>	7 through 17 yrs	Front	7 through 17 yrs in all seats	Designed for >10 people, farm vehicles, rural mail carriers.
NJ	Primary	\$22	7 yrs. and younger and less than 80 lbs. <sup>15</sup>		Front	8-17 in all seats	Manufactured before 1966, rural letter carriers.
NM	Primary	\$25 <sup>16</sup>	6 yrs. and under, or 7- 17 yrs. less than 60 lbs. <sup>17</sup>		All	All	Vehicles >10,000 lbs, rural letter carriers.
NY	Primary	\$50-\$100 <sup>18</sup>	6 yrs. and under	7- 15 yrs.	Front	<16 in all seats	Bus, school bus <sup>19</sup> , taxi, emergency or delivery vehicle, rural letter carriers.
OH	Secondary	\$30 driver \$20 passenger	3 yrs. and younger or less than 40 lbs.		Front		Postal service vehicles, vehicles delivering newspapers.
OK	Primary	\$20	≤5 years old and weighing ≤60 lbs <sup>20</sup>	6 through 12 yrs.	Front all seats	6 ≤ 12	Farm vehicles, truck, truck tractor, RV, postal service vehicles.
OR	Primary	\$75			All	All	Newspaper, mail, meter, transit vehicle, for-hire vehicles, trash trucks, emergency vehicles.
PA	Secondary	\$10 <sup>21</sup>	7 yrs. and under <sup>22</sup>		Front all seats	8-17	Truck >7,000 lbs, rural letter carriers, delivery vehicles traveling ≤15 MPH.
RI	Secondary <sup>23</sup>	\$75	<7 years, <54 inches and <80 lbs		All	All	Postal service vehicles.

<sup>12</sup> In vehicles with front side passenger air bags, a child <5 years old and weighing <40 lbs shall be properly secured in the rear seat unless the child restraint system is designed for use with air bags.

<sup>13</sup> Primary enforcement for all positions if occupant is under 18 years of age.

<sup>14</sup> The requirement to use either a child restraint system or a safety belt does not apply either (1) to a child if all of the available safety belts in the vehicle are in use by other family members or (2) to a child being transported in an emergency situation.

<sup>15</sup> Seated in rear seat if seats available.

<sup>16</sup> Plus two points on driving record.

<sup>17</sup> < 1 yr. in a rear-facing infant seat, seated in the rear seat if available; 1-4 yrs. or less than 40 lbs. in a child safety seat; 5 - 6 or less than 60 lbs. in a booster seat.

<sup>18</sup> Plus 3 points on license. Front seat passengers 16 and older can be fined up to \$50 and drivers can be fined up to \$100 for each passenger under 16 not wearing a safety belt.

<sup>19</sup> School buses sold in the State must be equipped with seat belts. Board of Education, via regulations, may provide that on school buses under its jurisdiction, safety belts be used when such vehicles are in operation.

<sup>20</sup> Children > 40 lbs. may be belted in the rear seat by a lap belt if the vehicle is not equipped with lap and shoulder belts or when the lap and shoulder belts are being used by other children.

<sup>21</sup> Pennsylvania 's fine is \$10, but with court, EMS, judicial, and computer costs the ticket total is \$51.50.

<sup>22</sup> Secondary enforcement for ages 4-7 booster seats requirement.

<sup>23</sup> Primary enforcement for drivers and occupants <18.

# Key Provisions of Occupant Restraint Laws through September 2005(continued)

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SC	Primary <sup>24, 25</sup>	\$10	1 yr. <6 yr, 40-80 lbs <sup>26</sup>		All	All	Emergency vehicles, buses, postal service vehicles, delivery vehicles, vehicles carrying >10 passengers, parade vehicles, vehicles in which all seating positions with safety belts are already occupied, persons occupying the rear seat of a vehicle unless the vehicle is equipped with a shoulder harness.
SD	Secondary <sup>27</sup>	\$20	4 yrs. and younger, less than 40 lbs.	5 through 17 yrs or ≥40 lbs.	Front all seats	≤ 17	Passenger bus, school bus, rural mail carriers, newspaper or periodical deliveries.
TN	Primary	\$10 <sup>28</sup>	≤ 8 yrs & <60 inches	9-15	Front all seats	<16	>8,500 lbs. rural letter carriers, utility workers, newspaper delivery.
TX	Primary	\$25-\$200	≤ 4 & < 36 inches		Front all seats <sup>29</sup>	≤16	Designed for >10 people; truck>15,000 lbs, farm vehicles, Postal service vehicles, meter readers.
UT	Secondary <sup>30</sup>	\$45 <sup>31</sup>	4 yrs. and younger	5 -15 yrs.	All	All	Passengers exempted if all seats occupied or person riding in a seating position not required to be equipped with safety belts.
VT	Secondary	\$25	<7 in child seat <sup>32</sup>	5 -15 yrs or 60" or taller	All	All	Bus, taxi. rural mail carriers, delivery vehicles traveling ≤15 MPH, emergency vehicles, farm tractor.
VA	Secondary	\$25	5 yrs. and under <sup>33</sup>	6 through 15 yrs	Front	<16	Designed for >10 people; taxi, police vehicles, rural mail carriers, newspaper delivery, utility meter readers, commercial vehicles making frequent stops.
WA	Primary	\$86	< 8 and less than 4'9" (eff. 6/1/07)	8-15; 4'9" or taller (eff. 6/1/07)	All	All	Designed for >10 people, when all designated seating positions are occupied, and vehicles exempted by state, regulation, including farm construction, or commercial vehicles making frequent stops.
WV	Secondary	\$25 <sup>34</sup>	≤7 yrs. & <4'9"	≤7 yrs. & <4'9"	Front	<17 all seats	Designed for >10 people, rural mail carriers.

<sup>24</sup> Safety belt law may not be enforced by checkpoints designed for that purpose.

<sup>25</sup> Safety belt law does not apply to an occupant if all belts in the vehicle are used by other occupants.

<sup>26</sup> Younger than 1 yr. or less than 20 lbs. in a rear-facing infant seat; five years and under in rear seat if seating available.

<sup>27</sup> Primary enforcement for all seating positions if occupant is under 18 years

<sup>28</sup> Drivers 18 and older pay \$10 if they do not contest the citation; 16-17 year old pay \$20; \$50 if unsuccessfully contested in court.

<sup>29</sup> Safety belt requirement does not apply to passengers occupying a position without a safety belt.

<sup>30</sup> Primary enforcement for all seating positions if occupant is 18 years or younger.

<sup>31</sup> Reduced to \$15 upon completion of class.

<sup>32</sup> Exemption from this requirement if the total number of safety belts available are in use, provided that children <5 years old are secured in a child passenger restraint system.

<sup>33</sup> Children at least 4 yrs. may be belted if the weight or size of the child makes the use of a child restraint device impractical.

<sup>34</sup> The fine for drivers is \$25; the fine for passengers over 12 years of age is \$10.

### Key Provisions of Occupant Restraint Laws through September 2005(continued)

State	Enforcement	Belt Fine	Child Restraint Required	Either safety belt or booster seat Required	Safety belt required		Vehicles Exempted -- and other Information
					Seats	Ages	
WI	Secondary	\$10	≤3 yrs.	4-7 yrs.	Front all seats	4-15;	Taxis, farm trucks engaged in farming, emergency vehicles, vehicles required to make more than 10 stops per mile, rural mail carriers, land surveyors.
WY	Secondary <sup>35</sup>	\$25 <sup>36</sup>	≤8 in rear seat and weighing ≤80 lbs. in rear seat if available <sup>37</sup>		All	All	Postal vehicles; emergency vehicles, buses, passengers. exempted if all seats occupied.

<sup>35</sup> If motorist is wearing belt when stopped for another violation, the fine for that violation is reduced \$10.

<sup>36</sup> Passengers violating the safety belt requirements are subject to a fine of \$10.

<sup>37</sup> Children are exempted from booster seat requirement if the lap and shoulder belts fit properly across the collarbone, chest and hips of the child and the belts do not pose a danger to the neck, face or abdominal area of the child in the event of a crash or sudden stop.